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IPJET
INTERNATIONAL PLATFORM OF JURISTS FOR EAST TIMOR

Letter of the International Federation for East Timor (IFET) to the UN Secretary-General

INTERNATIONAL FEDERATION FOR EAST TIMOR (IFET)

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Member Organizations

National Council of Timorese Resistance (CNRT, East Timor)
East Timor International Support Center (Australia)
Australia-East Timor Association (AETA)
Hobart East Timor Committee (Australia)
East Timor Alert Network (Canada)
Canadian Action for Indonesia and East Timor (CAFIET)
Pacific Concerns Resource Centre (Fiji)
Agir Pour Timor (France)
Association Solidarité Timor-Oriental (ASTO, France)
Gesellschaft fur Bedrohte Volker (Germany)
Asian Centre for the Progress of Peoples (Hong Kong)
East Timor Ireland Solidarity Campaign
Indian Society for Human Rights
Free East Timor - Japan Coalition
East Timor Information Network (Malaysia)
Norwegian Cooperation Council for East Timor and Indonesia (NOCETI)
Asia-Pacific Coalition on East Timor (Philippines)
Com. para os Direitos do Povo Maubere (Portugal)
Paz é Justica para Timor Leste (Portugal)
A Paz é Possivel em Timor Leste (Portugal)
Movimento Cristão para a Paz (Portugal)
Instituto de Estudios Politicos para América Latina y Africa (Spain)
Östtimor Kommitten (Sweden)
TAPOL (U.K.)
British Coalition for East Timor
East Timor Action Network (USA)

Parliamentarians for East Timor
International Platform of Jurists for East Timor

Hon. Kofi Annan
United Nations Secretary-General
UN Secretariat
New York, NY 10017
By fax to 212-963-2155

Dear Excellency:

We stand at a critical moment for the people of East Timor. In two days, the Indonesian and Portuguese Foreign Ministers will meet under your auspices to decide the security arrangements and the modalities for the August 8 ballot in East Timor.

For many years we have looked to the United Nations as the only legitimate and reliable body capable of settling this tragic issue in a way acceptable both to the long-suffering East Timorese people and to the international community. The United Nations is equipped with many resolutions which, properly implemented, guarantee a framework for the East Timorese people to determine their own future free from coercion and fear. We refer to Resolution 1514 (XV) of 14 December 1960 on the right to self-determination, Security Council resolutions 384 (1975) and 389 (1976) calling on Indonesia to withdraw from East Timor without delay, and the eight resolutions of the General Assembly on East Timor.

Since you became Secretary General, your office has taken many initiatives to implement these resolutions. We appreciate your efforts and those of your competent and committed staff over the past two years, and share your eagerness to solve this 23-year blot on humanity's conscience.

You began your press briefing on April 23, after the last round of tripartite talks, by saying that this was a good day, and that there are not many of those at the United Nations these days. There are no good days at all in East Timor these days. During the month of April alone, more than 100 East Timorese civilians were murdered by paramilitary militias the Indonesian government has proven unwilling or unable to control.

President Habibie is actively engaged in your East Timor peace process, and is committed to allowing East Timor to become independent if the territory's people reject Indonesia's autonomy proposal. Many of us believe he is sincerely looking for a face-saving exit to Indonesia's long, illegal occupation of East Timor, and would like to work with the United Nations to achieve that end. But his good will is undercut by the Indonesian military and its paramilitary proxies.

Notwithstanding President Habibie's announced policy, the same army that illegally invaded East Timor in 1975 and has brought so much grief and suffering to that territory is still there. Although Indonesia's civilian government has acknowledged its responsibility to enforce law in East Timor, its army and police have encouraged paramilitary violence. The

armed forces provide the paramilitaries with weapons, money and training. Senior military and police officers have attended rallies where the speakers have incited mobs to murder and stood by doing nothing as the killing ensued. Increasingly, there are reports of the police and army directly participating in the activities of these death squads.

At the April 23 tripartite talks, much was made of the April 21 Peace Pact brokered by General Wiranto. But the paramilitary violence persists, and Indonesia has made no significant efforts to control it. Murders continue daily, militia leaders exhort their coerced followers to assassinate pro-independence leaders and human rights workers with impunity, and tens of thousands of internal refugees live in fear for their lives. If the United Nations were to conduct a popular consultation in this atmosphere of terror, it would be a cruel hoax on the people of East Timor and a betrayal of the principles the United Nations stands for.

Many of the paramilitary leaders, who represent a small minority of the East Timorese population, have pledged to subvert the peace process and vowed to continue their terror campaign after August 8 if the voters reject autonomy. High Indonesian-appointed officials have declared their opposition to holding the consultation. Indonesia must act decisively to fulfill the commitments they are making to you and to the international community, both to ensure that the process proceeds and to create a climate conducive to peaceful campaigning and voting. August 8 is only three months away.

It is regrettable that representatives of the people of East Timor have been excluded from the development of the peace process, and will not participate in the negotiations and signing on May 5. Their non-participation places an extra responsibility on the United Nations, in accordance with the resolutions cited above, to ensure that their rights and interests are protected.

Available information gives us great concern about the agreements to be signed on Wednesday. The following elements are essential for a legitimate August 8 ballot. We have consulted with many East Timorese leaders and believe that these conditions also represent their wishes.

1. As soon as the 5 May accord is signed, the United Nations must assume responsibility for creating and preserving law and order in East Timor, and for protecting public safety. The Indonesian military has been there illegally for 23 years, and their occupation has taken more than 200,000 East Timorese lives. Even after President Habibie's change of policy, the Indonesian military and police have proven incapable of stopping paramilitary violence. It will be impossible for the United Nations to conduct a meaningful assessment of East Timorese public opinion if those forces – one party to the conflict, are controlling the situation on the ground. Furthermore, the United Nations should implement the voting process and not merely supervise an Indonesia-run ballot.

2. The so-called militias, created and armed by Indonesia's military, are criminal terrorists who openly and repeatedly violate Indonesian and common law. They must be disarmed and disbanded, and their leaders brought to justice. It is not sufficient for them simply to be ordered to 'lay down their arms.' The U.N. must take responsibility for enforcing the April 21 Peace Pact, since the Indonesian government has shown its unwillingness or inability to do so.

3. The principal military adversaries in the long-standing conflict are the Indonesian armed forces (ABRI) and the armed forces of the East Timorese resistance (FALINTIL) who have exercised their internationally-recognized right of self-defense. They must both agree to lay down their arms in preparation for the consultation, and ABRI's troop levels should be reduced below 1,000 (still far above the number of FALINTIL personnel). For a week before and after August 8, both ABRI and FALINTIL should be confined to specific places so that voters are not intimidated by either side. The United Nations must provide sufficient personnel, suitably equipped and with the necessary mandate, to ensure this.

4. Many Indonesian-appointed East Timor officials (including Governor Abilio Osorio Soares, Ambassador-at-large Francisco Lopes da Cruz, and military commander Col. Tono Suratman) publicly oppose their head of state's decision to engage in this peace process. Such officials, whatever their political views, should be required to perform their jobs, meeting Indonesia's commitments to the world community. Those who subvert the process (which is not the same as exercising their right to advocate that people vote for autonomy) should be removed from their posts.

5. Indonesia has proposed six countries to participate in the peace process: the United States, Australia, Germany, Japan, the Philippines and the United Kingdom. All of these, with the exception of the Philippines, have a long history of supplying weapons, training and/or money to support Indonesia's illegal occupation of East Timor. Latin America, Africa and the Non-Aligned countries are excluded entirely. We urge Portugal, Indonesia and the United Nations to include a broad range of nations. Among the many which would be well-suited are Brazil (the largest Latin American country, whose government has already offered to help), South Africa (president of the Non-Aligned Movement), Mozambique (with long experience in peacekeeping operations), New Zealand, Fiji, Norway, Ireland, Thailand and Canada.

6. If the East Timorese people reject autonomy on August 8, the United Nations should immediately establish a transitional government in East Timor. President Habibie has committed Indonesia to this process. The outcome of the consultation, in the context of international law and U.N. resolutions, must be followed through regardless of the results of the June Indonesian elections and the composition of the MPR.

We urge you to make it clear to the Indonesian government that these conditions are essential for the United Nations to conduct a meaningful consultation in East Timor. If they are not accepted on May 5, we urge you to go to Jakarta and meet with the President of Indonesia and use your high office and powers of persuasion to underscore their importance. If the May 5 talks fail to include these conditions, the resulting crisis will require you to bring the matter to the Security Council and demonstrate that these are elements without which the United Nations cannot proceed.

The Indonesian authorities must understand the absolute necessity of bringing their own forces into line with the policy announced by their head of state three months ago.

Over the last few months, the major consequence of the U.N. peace process in East Timor has been a marked escalation in violence. The world community has been shocked as machetes and guns have taken well over a hundred innocent lives. We know that you share our abhorrence of this blatant subversion of the process, and hope that you agree that action along the lines described above is the only way to rescue the process, the credibility of the United Nations, and the lives, rights and futures of the people of East Timor.

Since April 23, many key governments, including permanent members of the Security Council and most of those in the countries represented in IFET, have strongly urged the Indonesian authorities to stop the paramilitary violence. They would welcome your decisive action.

Thank you for your attention and concern. We in the international NGO community have worked on East Timor for many years. We stand ready to assist the United Nations peace process in any ways you feel are appropriate and helpful, and assure you that our concern and actions will continue until a just and lasting peace is in place.

Sincerely,

Charles Scheiner
United Nations Representative, International Federation for East Timor

cc: Foreign Ministers of Portugal and Indonesia
Ambassadors to the United Nations of the Security Council member states
International media